



DEPARTMENT POLICY REGARDING
MOBILE ELECTRONIC COMMUNICATIONS DEVICES
(Effective September 1, 2011)

I. Purpose and Scope

This policy establishes the criteria for the allocation and issuance of mobile electronic communications devices to employees of the North Carolina Department of Labor (NCDOL) as required for carrying out the mission of NCDOL. This policy applies to all employees of NCDOL.

II. Definitions

Mobile electronic communications device is a device used by subscribers and other users of wireless telephone service to access the wireless service. These devices include cell phones, smart phones, laptops with dedicated air cards or any other device that allows access to wireless service.

III. Criteria for Assignment of a Mobile Electronic Communications Device

- A. An employee may be eligible for the assignment of a state-issued mobile electronic communications device if access to a mobile electronic communications device is a critical requirement of his/her job functions. The following criteria will be used by Bureau Chiefs, Division Directors and the Chief of Staff in assessing whether an employee's job functions require the assignment of a state-issued mobile electronic communications device:
 - 1. An employee who must be accessible when remotely assigned.
 - 2. An employee who must be accessible when away from his/her assigned work location.
 - 3. An employee who must be accessible during times outside scheduled working hours.
 - 4. An employee who must be accessible during times of emergency.
- B. The requirements for each mobile electronic communications device issued shall be documented in a written justification and shall be maintained and reviewed annually by the Bureau Chief, Division Director, or Chief of Staff.

IV. Use of Mobile Electronic Communications Devices

- A. State-issued mobile electronic communications devices shall be used only for State business.
- B. Employees shall not make or receive personal calls on state-owned or leased cellular telephones, except for emergency calls and for employees in travel status as defined in and limited by the State Budget Manual. All employees of the Department will be

provided access to the State Budget Manual's policy on telephone usage. All personnel must read and comply with this policy, which is incorporated herein by reference. The State Budget Manual may be accessed at the following URL: http://www.osbm.state.nc.us/files/pdf_files/BudgetManual.pdf (Go to Section 5, Travel Policies and Regulations).

- C. Regardless of a calling plan's features that provides free calls during specific times of the day or week or unlimited mobile-to-mobile calls, employees should be reminded that agency provided mobile electronic communications devices are intended for state business use only. The call and use records may and will be reviewed by managers at any time.
- D. Employees must exercise prudent and reasonable care of any state-issued mobile electronic communications device.
- E. Employees must comply with the North Carolina Department of Labor Information Resources and State Equipment Acceptable Use Policy which is incorporated herein by reference. The policy may be accessed at the following URL: <http://intra2.dol.state.nc.us/intranet/Deptproc/AcceptableUsePolicy.pdf>
- F. All applicable laws regarding the use of mobile electronic communications devices while operating a motor vehicle shall be adhered to. This includes, but is not limited to, N.C. Gen. Stat. § 20-137.4A which prohibits the use of mobile electronic communications devices for text messaging or electronic mail while operating a motor vehicle.
- G. All mobile electronic communications devices are the property of NCDOL and as such may be removed from the employee's possession at any time. Abuse of a state-issued mobile electronic communications device may result in relinquishment of the device, repayment of fees for unauthorized use or disallowed services, and/or disciplinary action up to and including termination.
- H. **Damaged, Lost, Stolen or Misplaced Equipment:** If any state-issued mobile electronic communications device is damaged, lost, stolen, or otherwise misplaced, the employee shall as soon as possible, but at least within 12 hours of the occurrence, notify their supervisor by email, or the most expedient means available. The supervisor shall notify NCDOL Budget and Management Division, and NCDOL Legal Affairs Division immediately so any services connected to the device can be deactivated and the report required by subparagraph I, below, can be timely filed. Failure by either the employee or supervisor to comply with these instructions may result in disciplinary action in addition to responsibility for any costs associated with the loss of the equipment. Repayment will be made in accordance with departmental accounting procedures.
- I. In accordance with N.C. Gen. Stat. § 114-15.1, state-owned equipment that is damaged, lost, stolen, or otherwise misplaced, shall be reported by the Legal Affairs

Division to the Director of the State Bureau of Investigation no later than ten (10) days from the date Legal Affairs receives notice pursuant to subparagraph H, above.

V. Device and Plan Selection

- A. Devices issued and plans selected shall be the minimum required to support the employees' work requirements. Devices and plans shall be approved by the Budget and Management Division of NCDOL prior to executing any agreements.
- B. As is practicable, consideration shall be given to the use of pagers in lieu of more sophisticated devices.

VI. Review

- C. Pursuant to 2011 N.C. Sess. Law 145, Section 6A.14 (a), NCDOL, in consultation with the Office of Information Technology Services and the Office of State Budget and Management, will document and review all authorized cell phone, smart phone, and other mobile electronic communications device procurement, and related phone, data, Internet, and other usage plans for and by their employees.
- D. NCDOL shall conduct periodic audits of mobile electronic communications devices usage to ensure that State employees and contractors are complying with agency policies and State requirements.

Adopted this 1st day of September, 2011.



Cherie K. Berry
Commissioner of Labor